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The Late Congressional Election in

of Executive Usurpation. On the 9th instant, in the House of Represent. atives, there was a discussion on the report of the periment. As a general thing, (and it is fortumajority of the Committee on Elections, in favor nate that it is so,) the American soldier carries of admitting Benjamin F. Flanders as the Rep- with him into the army that knowledge of the reventative from the first Congressional District of Louisiana, and Michael Hann, from the Sec- liberty and law, which, in any situation, cannot end District, to their seats in the House. The fail to serve him against the wiles of despots and remarks of Mr. Voorners upon the occasion show most clearly and conclusively the danger to the liberties of the people by this act of Executive usurpation in attempting to control Cougress the overthrow of those civil rights guaranteed to and the legislation of the country through military all by the incomparable institutions of our counelections in the insurrectionary districts. If such elections are permitted-if Represent mould our soldiers to their wishes, will find, der the direction and control of the their host. military commanders, or Governors of States or districts, and the will of the people of the loyal It amounts to just that, no matter under what burg: erect a Governmental despotism as fatal to the of Waters from the even tenor of his way. That understand as being involved in the present crisis | available. of the country. The people desire a free Gov- A canal, to answer the purpose, is being dug ernment-a constitutional Government-the Govof the Republic framed, and which secured to ing" can be depended on till dug to the quickevery citizen, high and low, rich and poor, constitutional liberty and popular political rights. long. Besides, the river is rising, and will

and Independence.

to our children as we received it, we should em

ulate the patriotism, the self denial and the sacri

fices of the men who achieved Union, Liberty

The inquisition. The Grand Jury of the United States Court is still devoting its entire energies and the credulty of its members to a partisan examination of the character and objects of secret political orders in making his escape to the North. He came North Indiana. They care but little as to the existence of such organizations, for most of them are fully advised that Republicans and Abolitionists have soldier. instituted secret political societies all over the nicated to the authorities here is considered au-State, but the investigation is prosecuted solely with the hope that some odium may be fastened its objects, or that can be so construed. As wel might a Grand Jury attempt to compel a Mason ber of Rebel officers he estimates at 25,000, or longs, and upon that information they can judge men to be shot down for attempting to shirk their honor and perhaps his oath. Would the Foreman records, at least 2,500 have thus perished in difof the Grand Jury regard it as honorable in himself, or that it was within the province of the sand negroes engaged in strengthening the de-Jury, to even ask him to divulge the obligation | fenses of that city, and now it is surrounded by of the secret political order to which he belongs. and which upon his honor and perhaps under his regard. The inquisition will signally fail of its sion when the city might have been captured with purpose. The people understand it They know federates, that the only man they feared was that the investigation as now conducted has its McClellan. policy and acts are ruining the country.

thiest man in this city and in the West, passed then things will come right. from time to eternity when Mr. Longworth An auction sale took place this morning on has not given one dollar to any charitable institu-tion, nor for the promotion of learning or the arts sold are the following: 175,644 pounds of bacon, or sciences. His appropriations to these objects were made in his lifetime, and were numerous. His blood relations inherit his vast estate, he even potatoes, &c. cold shoulder. He was a singular man, eccentric disgusted with the selfishness of the California and original. He dressed shabbily and slovenly, members of the House who were candidates for and was proud of it. He was miserly, and yet munificent; he was penurious and yet prodigal in many respects. He despised the worthy poor, but gloried in feeding the worthless and the vagabonds of the community. His charitable acts were more the results of his eccentricity than of genuine benevolence.—[Cin. Price Current.]

Must Go it Blind.

It seems that the Administration has determined, and issued an order accordingly through the military authorities, that no more newspapers must be sent or sold to soldiers in the Union OPPOSITE THE OLD POSTOFFICE. army! This new dodge to withhold information from the rank and file, is doubtless predicated on ELDER, HARKNESS, & BINGHAM, the failure of such partisans as Colonels HUNTER. Gooding and Co., to impress those under them with the belief that the Democracy-their relatives, friends and neighbors at home-were the One copy one year

Ten copies, and one to the maker of the club .. 15 00 that, so long as the collection of the schemers see plainly Twenty copies, and two to the maker of the club ... 15 00 that, so long as the gallant volunteers are permitted to read and judge for themselves, they rates. The names will be printed on each paper, without cannot be deceived and tricked into the Abolition ranks, and hence the attempt to exclude from them all knowledge but such as they themselves think it expedient and proper to dole out for their

bat it," but our would be military dictators have opinion, to be confronted with such formidable or inconvenient adversaries as reason and argu-Marriage Notices 50 cents.

Notices of Festivais, Picnics and Excursions, gotten up
by individuals or associations, or by churches, at the regtheir command to the most perfect and unresisttisements leaded and placed under the head of ing docility and obedience in military matters, Special Notices, iften lines or over, will be charged double the Abolition chieftains seem disposed to deprive the soldier of the humble privilege of thinking to be charged at the rate of \$1 50 for each name in the or having an opinion of his own on matters of Daily, and \$2 in the Daily and Weekly, the same to be, in interest relating to our civil affairs. Their beau ideal of the soldier is, an emasculated biped-a political as well as military machine-with no knowledge of public affairs except what has been first purged and refined by the political alchymists under whom he serves. From the very necessity of his political position, the American soldier is a man-a freeman-as well as a soldier,

and can never cease to feel an interest in the acts

and measures of the people's servants in civil

JEFFERSON well remarked that "error of opinion

may be tolerated where reason is left free to com-

as well as military life. This attempt, therefore, to crib, cabin-in and dwarf his mind, like a Swiss or Hessian mercenary, into the passive instrument of his superior's will, in things apper-Louisiana -- Another Dangerous Act taining to the political as well as military affairs of his country, can never succeed, and must recoil on the heads of those now trying the exelemental principles of Republican Government, usurpers' or their subservient tools, with or without shoulder straps, to use him, in his military try. Those, therefore, who are attempting to atives in Congress are to be chosen un-sooner or later, that they have reckoned without

The Vicksburg Cut-Off.

A correspondent writing from near Vicksburg, States thus defeated, the people might as well under date of the 6th inst., thus allades to the surrender at once the rights of freemen and pro attempt to divert the channel of the Mississippi claim the President the Dictator of the nation. by cutting a canal across the bend opposite Vicks-

form or name - whether as President, Dictator, The "last ditch" is at present placed out. Wa-Emperor or King, the Executive of the nation | ter has been running through it sluggishly for ten assumes, controls and directs the administration days; but, contrary to all sage predictions, the of the Government Politicians of the Joz sippi below, as it was fondly hoped it would. No soil utterly refuses to wash away into the Missis-WRIGHT school talk about preserving the "ife of coaxing, conjuring, or engineering has thus far the nation," but in so doing they propose to been able to divert the current of the obaqueFather rights and liberties of the citizen as the most tion, lies directly under Rebel guns at Vicksburg. arbitrary government of the Old World. It is The old mouth has been "blockaded" with bags not a government for which the people of the of sand, and a large force engaged for several United States are struggling. The people of days in opening a new one that will leave the river some distance above where the main current Greece, of Hungary, of Poland, of Austria, of of the river sets in near shore, and intersects the France, have a government. All communities present canal about one third of the may across can have a government if they will but submit to despotic rule. That is not what we enough to know the "concern" can never be made

all the way across the point at least fifty feet wide, and fifteen or twenty feet deep. It must be cut ernment and the institutions such as the fathers the required width and depth first, for no "wash-Upon these points the remarks of Mr. Voorners soon drive us from the point altogether, if it concontain many suggestions worthy the considera- tinues, and before the work could be more than tion of every man who desires to preserve the commenced. And, even if finished, and water sufficient running through it to float all the neces-Government which Washington inaugurated, sary gunboats and transports, there is no assurand which was preserved and perpetuated by his ance to my mind that we should not find its mouth successors until now. Let us not lose that rich as thoroughly commanded by Rebel guns from the opposite heights as the channel of the river heritage by insiduous acts of Executive usurpanow is. Be not surprised if the whole project turn tion. To secure it for ourselves and hand it down out a stupendous engineering humbug

> From Washington. [Correspondence of the N. Y. Journal of Commerce.]

WASHINGTON, February 12. An intelligent man who formerly resided in this city but who, for reasons not proper to mention here, has resided in Richmond for the last ten months, has recently arrived in Washington. He was a clerk in the Adjutant General's office under the Confederacy, and resigned his position for the ouble purpose of avoiding the conscription and on foot, creeping along stealthily, and between Culpeoper Court House and the Potomac he did not happen to meet a single Rebel or Federal The information which he has commuthentic, and I am enabled to give you a few par-

The fact that he was a clerk in the office of upon the Democratic party. We hear that it is the the Adjutant General gives importance to his intention of the Jury to imprison a witness because statement concerning the Rebel army. He says he will not divulge the obligation of an order to army, but that these are all kept full, and all which be belongs, although he testifies that there skeleton regiments have been abandoned; the is nothing disloyal, treasonable or unpatriotic in total number of men at the present time being or an Odd Fellow to divulge the obligations of about one-half those in the Federal army, and those orders. They already profess to know the he asserts most positively that droves of that kidobligation of the order to which the witness be- ney do not crowd the hotels of Richmond as they do here. He says it is a common occurrence for of its character without asking him to violate his duty, and from his knowledge, gathered from the

ferent parts of the country. When he left Richmond there were five thou. three lines of fortifications. He describes the consternation that prevailed in the Rebel capital when the Merrimac was blown up, and when, outh he is pledged not to reveal to the uninitiated? Gen. McClellan was at Harrison's Landing, as We should like to have the Jury test him in that truly frightful, and there was at least one occaease. It was a common saying among the Con-

origin in the rankest partisanship, and that it is In the opinion of our informant, the rebollion only to make political capital for the party whose Can never be put down until the finances of the these events take place the leaders will have their own way and the masses remain in a state DEATH OF NICHOLAS LONGWORTH - The weal- of subjugation. Cripple the head devils, and

breathed his last, a few days ago. The value of Government account of a large amount of sub-his estate is estimated at seven million dollars, sistence stores, which are declared unfit for use. His will was admitted to probate yesterday. He To whom we are indebted for this waste of pub-

turning off those who married his children with a The Republicans about this region are rather

Remarks of Mr. Voorhees, in the people and give them such laws as we may deem House of Representatives, on the wise and useful

and the Constitution of my country as my guide. Mr. Harrison: Will the gentleman permit me I have done so honestly and conscientiously; and to ask him a question? in doing so, I regret to say that I have nearly al Mr. Voorhees: Certainly.
ways found myself in a minority. And it hap Mr. Harrison: Mr. Speaker, the office of civil of the committee, [Mr. Dawes,] when he speaks State. of the affirmative action of this House in admit- Mr. Voorhees: Yes. called itself free

reduce a revolted State to obedience you cannot | bidden to assist them in carrying it out.

the laws of Louisiana in all their extent and in elections according to law. all their parts as you are to uphold the laws of Mr. Harrison: My answer to the gentleman whose civil policy has not been disturbed.

case of Cross et al. vs. Harrison. In that case presenting with so much ability.

of the Committee on Elections, or any other gen- and mine. tleman upon this floor, to tell me by virtue of what clause in the Constitution. by virtue of what rule of law the President of the United States has given him. It is an assumed power. I will tell Louisiana. you the extent, and the sole extent, to which the power of a so called Military Governor can law- from Ohio, for that is just the point in my argufully go. The commandant of a military department that comes next in my way, and to which I ment may take possession of an insurrectionary desire to hasten. There I take issue with him; and disturbed district, and there enforce order and and I will show him that he is in error. By virpeace. He may take possession of a region dis- tue of my position on the committee—not by virsurbed by riot and armed disorder, command tae of my superior industry or intelligence, by peace, and give the people an opportunity to assert their civil rights once more. He can do no more than that. I defy the ingenuity of man to show me the law that gives him more authority than of the committee at which the vote was taken on

Louisiana Congressional Election. But, in the case of our own revolted territory As a member of the committee that reported once more subjected to the power and authority this resolution to the House, having voted against of the Government, you can simply keep the the action of the committee in the committee peace there by the military power until the people room, I desire briefly, and very briefly, to express can have a chance to return to their allegiance the views which will govern my vote here in the through the channels and avenues of the laws already prevailing over them. I undertake to say It would have given me great pleasure to have that this is sound doctrine. I undertake to say concurred with the committee in this case. It that it cannot be controverted on this floor or anywould give me also very great pleasure to vote where else. Take any other view of this quesupon the floor of this House for the admission of tion, gentlemen, and where are you? You are the gentlemen who are presenting their applica- now narrowed down to this point, that you have tions here. And I wish to say at once, as a either to take the ground that you are waging a preface to the remarks I shall make, so that war for conquest as against a foreign enemy, and there shall be no misunderstanding, that the may govern these revolted territories as you regentlemen from New Orleans have so borne and possess them just as you would govern conquered conducted themselves during this examination as toreign territory, or else you have to recognize to win the entire respect of every member of the committee. No part of my objection to their en- | that the laws of Louisiana cannot be disturbed or trance into this hall, therefore, can be considered interfered with, but must be upheld and enforced. In either case, however, the elections under coy It has been the rule of my action since I have sideration are invalid, and the claimants not, in been a member of this House to take the laws my judgment, entitled to seats on this floor.

pens to-day. But, sir, I conceive my duty to be Governor of Louisiana became vacant by the vola plain one. I do not concur with the chairman untary and wrongful act of the Governor of that

ting these gentlemen to seats here as doing but Mr. Harrison: The Congressional delegation little violence to the laws and Constitution of our from that State was not chosen in 1861, in conseountry. I regard such an action by the House quence of rebellion; and the office of Governor be as a total subversion of the principles of repre- came vacant by reason of the treason of the Govsentative government. I regard this question as ernor and of his uniting in the rebellion. In view one of exceeding and paramount importance. I of these facts and of the other circumstances in regard it as setting a precedent for future action | which the people of Louisiana had been placed by which will be exceedingly important in its bear | the rebellion, might not the loyal electors of the ing on the destiny of this Government. In other several districts in that State, when the military words. I regard it as surrendering to the Execu | power of the rebellion was suppressed by the arms tive the branch of the Government to which we of the national Government, have themselves, by belong. In my judgment the Executive has al | their own voluntary action, assembled in convenready usurped the judicial department of this tion and appointed a time for the holding of an Government by the suspension of the writ of had election for members of Congress, and would not beas corpus. It lacks but the sanction of such a Congress have been authorized to receive as memreport as the committee has made in this case to bers Representatives thus chosen? Now, then, render up the legislative department also to the people of these two districts, having assected the Executive. I have no doubt that this House to the time appointed by the Military Governor, will do it. Step by step Executive encroach (whether his action was legal or not,) for the ment has come upon this country with a rapidity holding of an election, and that election having the like of which is unknown to history; the like been actually held by the loyal electors of the of which has never been seen in any country that districts, are not the Representatives of their choice entitled to seats here?

Now, in support of these observations which I Mr. Voorhees: Mr. Speaker, I have foreseen have made in regard to the surrender of the leg- and anticipated and answered in my own mind slative department to the Executive, by the the argument which the gentleman from Ohio rinciple sought to be enforced by this report, has made, and which is the only one that can be allow me to submit to the House what I conceive made. The answer to it is a plain and inevitable the law in such cases to be. The law as laid sequence of the position which I have taken. I down in England, in a report before me, in the have already laid down what I suppose to be the case of Hall vs. Campbell, (1st Cowper's Re- duty of a military commandant in an insurrecrts.) and which has the sanction of the highest | tionary district-not a Military Governor. There courts of our own country, is this: if you make is no such officer known to the law. But the duty conquest of territory from a foreign enemy with of a military commandant of an insurrectionary whom you are at war, you may in that territory district is to keep peace until the people can have in which you have made conquest and planted an opportunity of acting according to law, and your power, establish municipal regulations and thus securing their representation. Have they civil laws, set aside the laws which there prevail, done so in this instance? That question rises and substitute a system of laws made by the leg- right in the chain of the argument which I have islative authority of this country This, howev made. I say they have not. The law has been er, is not true in the case of an insurrectionary violated. And even if the people have acquiesced listrict belonging to this Government. If you in a usurpation, you and I are, by our oaths, for-

supercede her laws and her domestic institutions. Now, let us see how this stands. Suppose the She is protected in them by that very Constitu | military commandant down there does what I say tion whose supremacy you claim it as the mission his duty is Suppose he keeps the peace and gives of our arms to restore. All such States must be the people an opportunity to return to their alle taken back, if taken back at all, with all the laws | giance; and not by brutality and ferocity, such as nimpaired which they themselves have made for | has disgraced our cause in New Orleans, but by their own government, pursuant to the guaran the superior law and power of kindness, he wins them to return once more to their fealty to the Understand this principle. If the Southern Government. When they have thus returned, let Confederacy is a foreign Power, an independent me ask the gentleman from Ohio what is their nation: lity to day, and you have conquered back | legal method of obtaining representation here? the territory of Louisiana, you may then substi | The gentleman says the Governor of Louisiana tute a new system of laws in the place of the has vacated his office; then the first thing for the laws of that State. You may then supplant her people to do in returning to their allegiance is to civil institutions by institutions made anew for fill the office of that civil Governor. This has her by the proper authority of this Government- been done in other cases. Why should it not be not by the executive, but by the legislative branch | done in theirs? First and precedent to a valid of the Government, assisted by the Executive election for members of Congress to fill vacancies simply to the extent of signing his name to the it is the duty of the Governor of the State of Loubills of legislation. If the Chairman of the Com- isiana, as the gentleman from Ohio knows, to mittee of Ways and Means [Mr. Stevens] is cor- call such election. It is made so by the Constirect; if the gentleman from Kansas [Mr. Conway] tution and laws of that State, which, according correct, and this assumed Power in the South to the theory on which this war was commenced, a Power of the earth, and stands to day upon are still in full force within the Union. In this equal terms of nationality with ourselves, and we | instance, however, somebody else has done it for commuer back State by State its territory by the him. When the people shall have returned to power of arms, then we may govern them inde- their allegiance by virtue of the peace established, sendently of their local laws. But it the theory | if you please, by the military governorship of that that we have been proceeding upon here, that this region, let them not commence to obtain repre Union is unbroken; that no States have sundered sentation here first by ignoring the only principles the bonds that hind us together; that no successful on which that representation can be lawful. Let disunion has yet taken place-if that theory is them commence at the foundation, and restore still to prevail in these Halls, then this thing can | their civil policy that has been disturbed by the not be done. You are as much bound to uphold rebellion, and then, by virtue of it, hold their

Pennsylvania or New York or any other State from Indiana is this: the difficulty, to my mind, is a practical one. According to the gentleman's Such is the law as laid down in numerous de- own theory and principles, as I understand them, cisions. We have had one case in this country. the election for Governor cannot be held in pur-We conquered California from the republic of snance of the Constitution and laws of the State Mexico, and took possession of her by our arms, of Louisiana until the expiration of the term for It is a case sometimes quoted by gentlemen seek- | which the Governor who voluntarily and wrongng to sustain the views taken by the majority of fully abdicated his office was elected. Therefore the committee in this case I believe it is quoted that State would necessarily have to remain unin their report, though, to contess the truth, I represented in the Congress of the United States have not had time nor has my health allowed me until the full term for which the Governor was to make, such preparation as I would have de- elected had expired. This brief and limited statesired, even to the reading of the report of the ment of my views is simply an illustration of the committee I know very well, however, the evils which I fear will necessarily result in accomviews entertained by the chairman and the ma- plishing the great and difficult work of restoring jority of the committee in the committee room. the insurrectionary States to their proper consti repeat that this case, in the instance of the con- tutional relations, from the practical application mest of California, is often relied on; it is the of the general doctrines which the gentleman is

our own Supreme Court laid down the principle Mr. Voorhees: Mr. Speaker, all this has passed to which I have already adverted. It was decided before my mind already; and, whether feebly or that we held California not as a part of our coun | well, I have attempted to answer it. One of the try, where our own laws prevailed, laws made in primary rights of a people is a government. If a pursuance of our own Constitution, which our man runs away from an office which the people arms had been, as they ought to have been in this have selected him to fill, they can, in their pri instance, employed to uphold, but as a conquest | mary capacity, call a constitutional convention, from a foreign nation, and hence that we hall a and refill that office. Now, the difficulty be right to substitute a different and distinct set of tween the gentleman from Ohio and myself is. municipal regulations to that which had previously that I want to commence at the beginning, and there prevailed It is one of the belligerent have the law administered in Louisiana from the rights that prevail under the law of nations, and foundation of the State Government up through t only exists, as I have already said, in cases of all its parts, while he wants to skip the condition Sir, let me ask this House what we have been gre-s—the sanction of the only kind of Governor warring for. Have we been sending our fleets to known to the Constitution of Louisiana or the the South for the purpose of making new codes | Constitution of the United States-and reach by of laws for States? Have we been sending our one leap that point; a leap, however, let me say fleets and armies there for the purpose of empow- to him, that involves a power in the Executive ering the Executive of the country to set aside over the State never heard of, never dreamed of, the laws of the States which may become subject by the letter or spirit of the Constitution. The to our military power? The people have not so gentleman may say that the difference between erstood it. They have understood, on the him and me is small; that I am for having the contrary, that we have been making war for the people to act in their primary and fundamental ourpose of resurrecting and upholding the pros- capacity in regard to the Governorship, and that trated laws, placing them once more erect, and he is for having them to act in the same capacity giving the people who may desire it the benefit of in regard to the members of Congress. The genhem How does this principle apply to the case tleman asks, what is the difference between the under discussion? Let us see. The President of two positions? The difference, I will say to my the United States appoints Major General Butler friend from Ohio, is vast, and fraught with the to the command of the Department of the Gulf. most momentous results. The one involves the Under him is a simple Brigadier General, General total prostration of free representation, the utter Shepley. He is called a "Military Governor;" overthrow of your Constitution, and the utter but the facts in this case show that he was simply abrogation of the State to govern her local affairs a Brigadier General, with the duty imposed upon by virtue of her own laws. The gentleman's him of reporting to General Butler as his superior position inaugurates a system of Executive officer. He went there with none other than usurpation which will stalk through these Halls military powers. He went there with none other at the head of a military power. It will send us than military instructions—none, at least, which all home or silence our tongues. It will make could be legally given him. He goes there and these arches resound with the clanking of the he assumes to act, not only as Brigadier General, chains of an absolute despotism, instead of with but as Governor of the State of Louisiana. the voices of free men. That is the difference Now, I will pause here, and ask the Chairman between the position of the gentleman from Ohio

authority to appoint any human being a "Mili ants are entitled to their seats is entirely indetary Governor?" He has not got it. It is nowhere pendent of the action of the Military Governor of

this. The Executive has no law for an appointment to go beyond this purpose. It is not between the two lids of the Constitution. The sole duty of the officer under such circumstances is to keep the peace, and his army is his posse comitatus. I apprehend that, even in reference to a conquered territory, it can only be held under military power until Congress can legislate for its.

Let me answer the gentleman from Kentucky be can properly exercise no others. Outside of that I hold that the right of representation, the them he is a dead man officially, and his acts whole machinery of civil government, is stopped have no validity with me. and held in obeyance in a State situated as Lou- You may argue questions of expediency; you isiana is, until it can move according to its laws. may argue questions of the restoration of the Whether the people have been prevented from Union; I shall argue, first my oath, my conexecuting their civil duties according to law, by science, and my duty to civil liberty. You may reason of the rebellion or any other cause, does not affect this argument. If they have not done your arguments here, but nothing can change a so in the case under consideration, I know of no principle or escape the power of truth. No inge-

in connection with the question of the gentleman | will speedily trample us to death under its feet. from Kentucky, and also in continuation of my Give to this system vitality here, in this Hall, answer to the gentleman from Ohio. General and if your armies move on and take possession Shepley, a Brigadier General, exercised all the of States, the Representatives, not of the people, power which resulted in these elections. He, in subordination to General Butler and the Executive, moved everything. Without him nothing was. He spoke this election into existence. With out this military power, supplanting and assum- popular elections take place; in vain will popular ing to act for the civil power in Louisiana, noth- measures be inaugurated; your President can ing would have been done. Every one knows dely them all.

Military Governor:

without any Representative in the Thirty-Seventh Congress of the United States of America; and whereas a very the sound of the retiring footsteps of the majority large majority of the citizens of the First and Second Congressional Districts in this State, by taking the oath of allegiance, have given evidence of their loyalty and obe-dience to the Constitution and laws of the United States: within the last twenty months the Thirty-Seventh Now, therefore, I. George F. Shepley, Military Governor of the State of Louisiana, for the purpose of securing to the loyal electors in the l'arishes composing these two Congressional Districts their appropriate and lawful representation in the Bouse of Representatives of the United States of America, and of enabling them to avail themselves of the benefits secured by the proclamation of the President of the United States to the people of any State, or part of a State, who shall on the 1st day of January next be in good faith represented in the Congress of the next be in good faith represented in the Congress of the United States by members chosen thereto at elections wherein a majority of the qualified voters of such State have part cipated, have seen fit to issue this my proclamation, appointing an election to be held on Wednesday, the 3d day of December next, to fill said vacancies in the Thirty-Seventh Congress of the United States of America, in the following Districts, namely:

Now, what is the law of that State on this point? The power to issue a proclamation calling blems of our vassalage. I do not say, and do special election is vested in the Governor of not wish to be understood as saying, that the gen-Louisiana, chosen by her own people, and not in tlemen from New Orleans would, in any sense, an instrument of the Executive. How does the be the tools and the implements of usurped powgentleman from Kentucky answer that? How does the gentleman from Ohio answer it? You say the military had nothing to do with these elections. Yet you see they had their origin in a can liberty. It is also fraught with the absolute plain and absolute military usurpation. They commenced in a military proclamation, and the body. You may sanction it if you please. I only certificates of election which the claimants present here as titles to their seats are signed by a Brigadier General of the army.

Mr. Harrison: I ask the gentleman from Indi and whether the legal principle, that subsequent ratification is equivalent to antecedent authority, tors to the other branch of Congress, and soon does not apply to this act of the electors of Lou-

Mr. Voorhees: Has the gentleman from Ohio has, I have none. I see influences surrounding these elections which, to my mind, indicate anything rather than the free, untrammeled voice of the people, acting independent of military coercion and executive dictation. On the very face of this proclamation, what do we see? One inducement held out to the citizens of New Orleans to participate in these elections is, that they may in that way escape the effects of the Presidential proclamation of the 1st of January last: that they may escape being robbed of their property by going to the polls and voting; may escape having their slaves taken from them by the President of the United States, if they elected members of Congress. One inducement held out in the body of this proclamation was the right of representation, it is true; but the other was the anarchy? argument and inducement of the highwayman: "Elect, and your property will be saved!" fuse to elect, and the Commander-in Chief of the Army, the President of the United States, will strip you naked, and ron you of your plainest rights of property." This is the language, plain and distinct, addressed to the citizens of the first and second Congressional Districts of Louisiana by the proclamation under which these elections were held. Is this a free election? Who will dare say so? To my mind it is the grossest and

Mr. Harrison; I submit to the gentleman from Indiana, that if the statement of facts made by the Chairman of the Committee of Elections is true-namely, that the loyal and qualified electors of the two Congressional districts of which the claimants are citizens exercised an untrammeled choice at the elections under which they claim seats-whether the attendance by the electors on the day named in the proclamation of the Military Governor for that purpose, and actually holding the elections, was not an emphatic and conclusive ratification of his act by the people so voting, thereby making the elections as vadlid as if they had themselves taken the initiative?

Mr. Voorhees: Now, will the gentleman from the day of that election because they desired to be represented in this Congress, and how many because they wanted to save their slaves under the proclamation of the President? If he can give me this information, I can tell him how much the ratification of which he speaks was worth. Both inducements were held out; and if the gentleman can inform me how many persons voted because they desired to prevent their property being taken from them, and how many because they desired to send these claimants here, I can answer how far this act of the Military Governor was ratified by the people. The inducement in regard to their slaves was deemed as of proclamation, and I have no doubt it brought many citizens to the polls.

The gentleman asks me whether the people avoid injury to their rights and the plunder of

Mr Menzies: I will repeat my question, in order that the gentleman may understand the point upon which my mind turns. I would like people of the State of Louisiana to obtain a repo know if the people of these districts complied resentation in this House, to banish from their with the law of the State of Louisiana except in | midst the evils of anarchy, and secure the protect the particulars mentioned in the report of the tion afforded by the execution of the laws by civil Committee of Elections; that if the day was not | magistrates, which they so vas'ly need? the one prescribed by law as an election day for this purpose, and that the proclamation was not, law would be in violation of no principle that I in that event, issued by the legal Governor of know of A representation against, contrary to Louisiana? I ask the gentleman whether he be. law would be in violation of the Constitution lieves, the rebellion having deprived them of the power to comply with the law in these respects, the people might not have themselves assembled on any day they might name and elected persons to represent them in Congress?

Mr. Voorhees: I answer the gentleman by repeating that when the forms of regular governevery department. This may be done by virtue of the peace secured and maintained by the arms of the United States. of the Government. Let the people of Louisians Let me hasten on. I have talked much longer do this if their condition will permit it, and then than I expected I would. This Governor Shep-

power which I possess to give validity to their buity can reason away the fact that in this procla illegal acts. Neither can the Executive heal the mation George F. Shepley was a usurper. It is defect by an act still more illegal, indefensible of a piece, too, with a widespread system of executive encroachment, which, unless trampled But there is another answer which occurs to me under foot by the representatives of a free people

this to be true. In evidence of it, let me call the If you falter upon the course which the recom attention of the House to the proclamation of the | mendation of the Committee on Elections invites us to pursue, this day you place the liberties of the people in the hands of the President. A majority in this House may adopt this resolution By Brigadier General George F. Shepley, Military Governor of the State of Louisiana.

Whereas, the State of Louisiana is now and has been whereas, the State of Louisiana is now and has been a majority of the people. No, sir; the people of the sound of the retiring footsteps of the majority of this House as they go out to return no more within the last twenty months the Thirty-Seventh Congress has sanctioned greater strides toward despotism than has ever been made in any other Government professing constitutional limits within a period of two hundred years. And if I had not thought this was a part and parcel of a grand gigantic system of executive domination, I would not have raised my voice to-day. It is not my custom nor my pleasure to mingle much in debate. But I ask the people to watch the pro-

ceedings on this question. If the army can go forth and bring representatives with voices equal to ours; with no constituents to trammel them at their back; with no one Then comes an enumeration of the election to represent except the President, then we might as well know it at once. Then our seats here become worse than valueless. They will be em-

But, sir, suppose we sanction the principle of this report of the committee, where will it stop? .Under this military rule members of a Legisla ture may be elected, and they can return Senathe unbroken waves of an absolute despotism will sweep over every State in the Union. The proud turrets of State sovereignty will sink beany evidence of subsequent ratification? If he neath the stagmant uniformity of Executive usurwhich perished in the dismal depths of the Dead Sea. Av. sir, the Dead Sea of absolute despotism will pervade the face of the whole country, for if this thing can take place in one instance, it

can take place in all. Mr. Harrison; If the people of Louisiana cannot reconstruct their State government, by put ting its organization into active, practical operation and thereby fully restore the constitutional relations between it and the General Government, in the manner which I have suggested, would they not be compelled, if the rebellion could be totally suppressed in that State to morrow, still to remain for a long period of time unrepresented in Congress, and continue substantially in a state of

Mr. Voorhees: The gentleman's argument pro ceeds upon a ground I have never recognized, and which I never will recognize, the ground of expediency. They must so remain rather than call upon us to prostrate and stab the liberties of the country. They must so remain rather than ask us to establish upon the ruins of the country the unquestioned tyranny of Executive power. One word further. They must remain unrepresented according to the theory of our Government, peace being kept in their borders by military most outrageous assault u, on the freedom of the | power until the people can re establish their civil elective franchise ever known in a republican government, not in violation of law, but by virtue of and in strict conformity to law, as I have already indicated. If the military power cannot protect the people in asserting their rights according to law, it is not worth maintaining. Its mission, in that case, is a failure What are you exercising it for? To give the people a chance to violate law? No, sir; I will never give my sanction that the military power shall become an engine with which the Executive may overthrow the laws and make his will supreme.

The gentleman says that Louisiana may remain a long time in this condition. Suppose she does, we do no violence to our own liberties. If military power is to win back a single State to the Union, let me say that it will have to be wielded ! in all instances to give the people an opportunity Ohio tell me how many voters cast their votes on to obey the laws of their own making, and not for the purpose of usurping their laws and sup-

planting them with another system Mr. Harrison: Will the gentleman yield to me Mr. Voorbees: I yield to the gentleman, al though I am not the recipient of any like favor from that side of the House

Mr. Harrison: I have never refused the gentle man a like courtesy. Mr Voorhees: The remark was not intended for my clever friend from Ohio, but for the majority on that side of the House who, by parlia-

mentary tactics, have kent me off the floor. Mr. Harrison: I have, since I became a member sufficient importance to insert in the body of the of this House, been in favor of freedom of debate by gentlemen on both sides of the House, and have studiously endeavored to observe that courtesy toward every member which becomes the there did all they could. I expect they did to place. I do not intend now to be troublesome. Mr. Voorhees: You are not.

Mr. Harrison: I desire to inquire of the gentleman what provision of the Constitution of the United States will be violated by allowing the

Mr. Harrison: I omitted to limit my proposi-

tion with the words; obtaining representation in this House in the mode I have suggested. Mr. Voorhees: I have been trying now three quarters of an hour to elucidate that very pointwhether these gentlemen come here by virtue of ment are lost, the people must begin again de the sauction of the Constitution; by virtue of authority we can hold to be legal and proper. I dation of civil government. They must again think I have shown to the House that their electhe sauction of the Constitution; by virtue of aufill their vacant offices, commencing with that of tion is founded upon a principle that is totally Governor, and then by his aid proceed according subversive of the freedom and independence of to their own laws to give motion and vitality to this body, and in contravention of the Constitu-

they may proceed under the constitution of that ley, as he styles himself, has not even tried to State and in obedience to their own laws. In that obey the laws concerning the details of these elecstretch of power, unknown to our Constitution whether the people have not done as well as they or laws, which has been exercised in the appoint | could. I expect they have. I do not blame ment of a Military Governor, by whose conduct them. They were threatened with the President's proclamation to be robbed of their proper Again, sir, I come back to the very foundation ty if they were not represented. They were of this whole proceeding. I deny that George F. surrounded by a military power, exercised by a Shepley, as Brigadier General and Military Gov- man who never saw the face of his enemy in the ernor of Louisiana, or in any other capacity, unless the people of Louisiana had of their free, untrammeled choice, made him their Governor under the Constitution and laws of the State, had der General Butler with the most atrocous tyrany right at all to the power which he has exer cised. I care not if he had exercised this power the annals of civilized warfare. They came for in accordance with the forms and precedents of the Constitution and laws of Louisiana. The question would still arise as to his right to be in that capacity at all. The Constitution of Louisiana knows him not. The Constitution of the United States knows not this man, George F.

Sheeler as the Guerrage of State military and and voted, perhaps thinking that they were doing something which might mitigate the severity of the military despotism which ruled over them. Under these circumstances, the suffrages of the people of New Orleans and vicinity were taken on the 3d day of December. But, as United States knows not this man, George F. Shepley, as the Governor of a State, military or civil. He is known to nothing except the appointing power that rests in the Commander-in-Chief of the Army, the President of the United States, to make him a General. Do you know what powers appertain to a Brigadier General of the United States Army? If you do, you know what powers reside with George F. Shepley; and

WHOLE NO. 1,233.

upon the subject of elections was set aside, so that the voting might be as illegal as the unsettled and licentious spirit of the times might dictate. Sir, the two proclamations of Gen. Shepley overthrow the whole system of elections and representation in the State of Louisiana. I submit to my candid friead from Ohio, [Mr. Harrison,] what could be more complete than the utter overthrow of the Constitution and the laws on the subject of elections by this Military Governor; first, by superseding the Constitution, and usurping the powers and duties of civil Governor; and next, by proclamation setting aside the law which required the registration of voters.

Under these circumstances a certain number of votes were cast; whether they were legal votes or not, the law which protected the purity of the ballot-boxes being nullified by the stroke of a pen, we cannot say. And under these circumstances it is gravely urged that these men are entitled to seats upon this floor.

Mr. Speaker, I have said more, by far, than I intended. All I desired to do was simply to call the attention of the House, first, to the proposition which I made in the opening, that if this State is your State; if it is yet a member of this unbroken Union, according to the construction of nearly every gentleman upon this floor; if it is not a foreign power, you cannot-not merely the Executive cannot-but you cannot, Congress cannot, no power known to the Government can, supplant or do away with its laws in exercising authority over it. If it were a conquered or a foreign Government, it would be different. As it is a part of our own Government, the point I insist upon is that we should leave her alone until you receive a representation here as the offspring of her own system of laws, and not by virtue of any emanation of Executive authority. Until the people of Louisiana, protected, it may be, by military power, in a peaceful condition, can come forward and resurrect the r State Government, and by virtue of their own laws of their own making, send Representatives here, they

must go uurepresented. I insist, further, that if you surrender this great power to the Executive, as our armies move on you will have more Military Governors. You have one now in North Carolina; you have one in Tennesse; you have one in Arkansas, and, perhaps, one in Texas; and men will come here who are the choice of nobody, who have no constituents to represent, and though I may have thirteen thousand votes for myself, though some here may have twenty thousand votes, yet one vote, the vote of the Executive operating through a Military Governor, can send men here to carry out executive designs, defeat the popular will, and thus totally overthrow our system of govern-

Let the advocates of this monstrous doctrine beware. Let me say to them that their power is. not the longest nor the most stable. You do not expect to carry the next Presidential election. We do; and we do not want a system made to our hands like this. Remember that your day is drawing near the close, and that which you may seek to exercise for temporary purposes, while you yet linger in power for the destruction of political opponents, or as a power upon which the Executive is to ride through this Hall triumphant, may all come back to haunt you hereafter; may come back to disturb you as it now disturbe us. As for me, for all times and under all circumstances, now and forever, I repudiate all these designs which I conceive to be fatal to the Constitution of my country, to the independence and freedom of this House, and to the liberties of the people.

A Prayer to be used during Lent in the Episcopal Churches of Indiana, in Reference to the Existing Condition of our National Affairs.

Rt. Rev. George Upfold, D. D. Bishop of the Diocese of Indiana, has set forth the following prayer, to be used in the Episcopal churches during the season of Lent:

Almighty and most holy Lord our God, who dost command us to humble ourselves under thy mighty hand that thou mayest exait us in due time, we, thy unworthy rervants, desire most humbly to confess before thee, in this the time of sore affliction in our land, how deeply as a nation we deserve thy wrath. In the great calamities which have come upon us, we acknowledge thy righteous visitation, and bow down our souls under the mighty hand of our holy and merciful God and Father. Manitold are our sins and transgressions, and the more sinful because of the abundance of our privileges and mercies under thy providence and grace. In pride and living unto ourselves; in covetousness and worldli ness of mind; in self sufficiency and self-dependence; in glorying in our own wisdom and riches, and strength, instead of glorying only in thee; in making our boast of thy unmerited blessings, as if our own might and wisdom had gotten them, instead of acknowledging thee in all, and seeking first thy kingdom and righteousness; in profaneness of speech, and ungodliness of life; in polluting thy Sabbaths, and receiving in vain thy grace in the Gospel of our Lord Jesus Christ, we acknowledge, O Lord, that as a nation and people we have grievously sinned against thy Divine Majesty, provoking most justly thy wrath and indignation against us. Righteousness belongeth unto thee. but unto us confusion of face. Because thy compassions have not failed, therefore we are not consumed. Make us earnestly to repent and May the remembrance of them be grievous unto us. Turn unto thee, O Lord, the hearts of all this people, in humiliation and prayer, that thou mayest have compassion upon us and deliver us. For thy Son, our Lord Jesus Christ's sake, forgive us all that is past, and grant that we may ever hereafter serve and please thee in newness of life, to the honor and glory of thy name. We beseach thee so to sanctify unto us our present distresses, and so to make haste to deliver us, that an honorable and permanent peace may speedily ensue, that war shall be no more in all our borders, and that all resistance to the lawful Government of the land shall utterly cease. May our brethren who seek the dismembernment of our National Union, under which this people, by thy Providence, have been so signally prospered and blessed, be convinced of their error and restored to a better mind. Grant that all bitterness, and wrath, and anger, and malice may be put away from them and us, and that brotherly love and fellowship may be established among us to all generations. Thus may the land bring forth her increase, under the blessings of peace,

and thy people serve thee in all godly quietness through Jesus Christ our Lord. Amen. A letter from Warsaw, dated the 18th, has considerable interest, after what has happened. The writer describes the progress of the

"branka," or conscription: "Night after night the conscription vampire is Night after night the citadel and town hall-the two storehouses for the reception of the live spoil—are filled with gongs of unfortunate white niggers. As the branka progresses, the horrid trinity of fear, fury and revenge rises higher and higher in the souls of men. The men you meet in the streets are silept and taciturn. Even if ignorant of the turn revolutionary tactics have taken, you cannot misapprehend the language of their looks. There is nothing of despondency in their sorrowing mien. They are afflicted, but hope for the day of reckoning; they have the overpowering grief of the bour, but they are buoyed up with the sustaining consciousness that, if they chose, they might give the Grand Duke more trouble than he would be able to go through no-ruffied. But a pitiful sight is offered by the females in the streets. At every step you encounter these sobbing groups. You cannot avoid fall-ing in with a bevy of crying girls. You slacken your steps, in order not to overtake that lament ing crone; but the house opposite resounds with imprecations, and a feminine voice is heard adjuring the celestial powers to look upon Poland and runish the malefactors. In front of the town hall you find hundreds of girls and wives staring in blunt despair at the inhospitable edifice, where their lovers, their brothers, and, alas! in but too many cases, their husbands, are stowed away for the disposal of the Czar. Now and then the Cossacks of the Guard will think it the duty of a man and a warrior to bear down upon them and disperse the crowd of barmless, woe-begone women; but shortly after the tide of female mourn ers returns, and the wave of wailing laments is driven against the towering walls of their rela-

LAPAYETTE, Feb. 18 .- T. J. Winchell, the he morist, died at the Lahr House in this city this morning, after a short illness, of erysipelas.
Onicago, February 18. - A special from Mem-

phis, dated the 17th, says:

The new gunboat Indianola ran the blockade at Vicksburg on Friday night. The Rebels did their utmost to sink her, but she passed in enfety.